

FOOD INSPECTIONS IN FLORIDA  
A STUDY OF DUPLICATION

A REPORT

PREPARED FOR

THE SENATE COMMITTEE ON HEALTH, WELFARE, AND INSTITUTIONS

Kenneth M. Myers, Chairman

MAY 3rd, 1971

BY

CATHERINE W. REAL  
STAFF DIRECTOR

RAYMOND S. WILSON  
LEGISLATIVE STAFF INTERN

614.31  
F6363f  
C.2



614.31  
F 6363f  
c. 2

UNIVERSITY  
OF FLORIDA  
LIBRARIES



## TABLE OF CONTENTS

	<u>Page</u>
<u>List of Charts</u>	i
<u>Introduction</u>	1
<u>Delineation of Statutory Authority for Food Inspection for Four State Agencies</u>	9
<u>Overview: General Statutory Authority     for Food Inspection Activity</u>	9
<u>Statutory Overlap: Six Substantive Areas</u>	13
Meat Inspections	13
Dairy Products	15
Food Processing Plants	17
Food Service Establishments	19
Seafood Examinations	20
Laboratory Examinations	21
<u>Findings</u>	27
Personnel	28
Training of Inspectors	35
Organization	40
Operations and Standards	45
Expenditures and Revenues	53
<u>Food Inspection Activity by Seven State Agencies: Summary of Findings</u>	59
<u>Conclusions</u>	66
<u>Appendix</u>	73

Del. of Health State Reporting Summary 7/1991



## LIST OF CHARTS

<u>Charts</u>	<u>Page</u>
1. Cases of Food-Borne Illness Reported in Florida	3
2. Health Department Inspection Functions Overlapping with the Department of Agri- culture: Ten Most Populous Counties	6
3. Inspection Activities of Local Health Units in the Eleven Most Populous Counties	7
4. General Statutory Authority for Food Inspection Activity	12
5. Concurrent Dairy Products Jurisdiction: Agriculture and Health	17
6. Statutory Duplication Regarding Food Processing Plant Inspection	18
7. Statutory Duplication: Food Service Establishments	19
8. Seafood Processing Plants: Inspection Overlap	20
9. Number of Administrative, Support, and Inspection Personnel by Agency for Three Fiscal Years	29
10. Increases in Dollars Allocated for Salaries of Inspectors and in Numbers of Inspectors From 1968-71	30
11. Salaries Paid to Personnel Involved in Inspection	31
12. Monthly Salary Schedules by Personnel Classification Type (1969-70)	32
13. Inspection Personnel Turnover Rates and Stated Reasons for Leaving	33



<u>Chart</u>	<u>Page</u>
14. Educational Levels of Inspection Personnel	34
15. Characteristics of Inspection Training Courses	36
16. Major Equipment Items Used in Inspections	37
17. Response to Question: "Have all Inspection Personnel Taken the Training Course?"	38
18. Number of Establishments to be Inspected by District/ Number of Inspection Personnel Per District/ Average Caseload Per Inspector	42
19. Division of Health Inspection Activity (1969-70)	43
20. Scope of Inspection Analyses and Determinations Performed	49
21. Sample Examinations Performed By Various Agencies	49
22. Food and Milk Products Reported Condemned or Stopsold (In Pounds)	51
23. Expenditures for Food Inspection Activities for Fiscal Years 1968-69, 1969-70, and 1970-71	53
24. Sources and Amounts of Revenue Allocated to the Various Agencies for Food Inspection Activity	56

#### Appendix Tables

A-1 Questionnaire Delivered to the Several Agencies Involved in Food Inspection	73
A-2 Abstract of Legislation Introduced During the Past Two Legislative Years	83
A-3 Division of Health: Number of Establishments to be Inspected by District/Number of Inspection Personnel Per District/Average Caseload Per Inspector	87





FOOD INSPECTIONS IN FLORIDA  
A STUDY OF DUPLICATION

Introduction

Duplication of inspection services in the areas of food service, food preparation, and food processing has posed a distinct problem among departments and agencies operating with overlapping jurisdictions in Florida. The Divisions of Animal Industry (Meat Inspection), Inspections, Dairy Industry, and Chemistry of the Department of Agriculture and Consumer Services, the Division of Marine Resources of the Department of Natural Resources, the Division of Hotels and Restaurants of the Department of Business Regulation, and the Division of Health of the Department of Health and Rehabilitative Services, all conduct a variety of programs in the same areas of food inspection. Their overlapping statutory authority produces considerable duplication of effort.

The following agencies, divisions or bureaus of several departments of state government, will be referred to throughout this report, often without reference to the department under which they operate. For clarification purposes these divisions and bureaus are listed below showing the corresponding department in which they are located:

Division of Health	Department of Health and Rehabilitative Services
Bureau of Meat Inspection, Division of Animal Industry	Department of Agriculture
Division of Inspection	Department of Agriculture



Division of Dairy Industry	Department of Agriculture
Division of Chemistry	Department of Agriculture
Division of Marine Resources	Department of Natural Resources
Division of Hotels and Restaurants	Department of Business Regulation

The problem of overlapping jurisdiction can be considered serious from at least two perspectives:

1. To the extent that duplication may cause jurisdictional uncertainty, the effectiveness of the administration of inspections may be impaired, thus increasing the chances that quantities of undetected contaminated substances may find their way into the homes of the consumer.

The safeguarding of public health requires that sanitary inspections be performed effectively and efficiently. Food is an excellent conductor of many types of diseases. While the reporting of disease statistics is generally inadequate (only about 5% of the total cases of food-related illnesses are reported), reliable estimates<sup>1</sup> indicate that from 2 to 10 million cases of food borne illness occur each year in this country. Of the actual 345 outbreaks and 17,567 cases reported in 1968 nationwide, 60% of the outbreaks and 75% of the cases originated in food service establishments. There are more than a half million food service establishments in the United States and it is estimated that 60% of these are sub-standard. These establishments serve approximately 38 billion meals annually and handle about 25% of the food produced in the United States.

---

<sup>1</sup>White House Conference on Food, Nutrition and Health, 1970.



The estimated annual dollar loss to Florida industry alone due to short term illness of a food related nature may approach \$194 million. The figures on the number of cases of food-borne illness reported in Florida highlight the problem for the state:

CHART 1

CASES OF FOOD-BORNE ILLNESS REPORTED IN FLORIDA<sup>1</sup>

Year	Food Poisoning	Salmonellosis	Bacillary Dysentery	Total Cases
1969*	1,116	1,698	569	3,383
1968	743	1,226	535	2,504
1967	130	1,121	531	1,782
1966	793	1,167	777	2,737
1965	271	1,295	513	2,079
1964	445	1,099	568	2,112
1963	295	947	437	1,679
1962	1,598	641	506	2,745
1961	190	613	454	1,257
1960	193	444	112	749
10-year Total	5,774	10,251	5,002	21,027

\*Preliminary Totals

These three groups of food related illness have averaged in excess of 2,100 cases per year for the ten year period. Also note that the projected total figure for 1969 is almost 3,400. Keep in mind that the national average reporting rate is only 5%.

This data makes it readily apparent that adequate food service sanitation is a crucial area of public health.

At least three other situations have come to light in recent weeks which further lend support to the contention that the present method of delivery of food inspection services in Florida poses a serious threat to the public health.



Information was provided from the Division of Health that a survey of the level of sanitation of food service establishments in thirty-six counties was conducted. Their findings indicate that the sample of food service establishments in only two of the thirty-six counties were satisfactory according to United States Public Health Service standards. The Division of Health insists that it is setting out to correct this situation but admits that it will take time.

In early April, 1971, the Office of the President of the Florida Senate made an investigation of sanitary conditions in commercial food establishments in Leon and Gadsden Counties. Their evidence, filed with the Committee on Health, Welfare and Institutions, documented laxity in the enforcement of minimum sanitary practices by both the local health departments concerned and the state Division of Hotels and Restaurants of the Department of Business Regulation. Deplorable conditions were shown to be prevalent in a number of the restaurants visited. Similar reports from the Division of Health of the Department of Health and Rehabilitative Services showed numerous health violations among two establishments in Leon County.

These situations add to the growing concern that food inspection functions are not being adequately performed. From the perspective of protection of public health, therefore, an in-depth review of all state food inspection activity is required.





2. Ineffective utilization of manpower and revenue resources may be expected as a direct consequence of interagency duplication of functions.

The Legislature is continuously concerned with the efficient use of tax dollars and the proper utilization of personnel. If it could be demonstrated that Florida's consumers were twice or even three or four times as safe as a result of duplicative inspections, then the extra expenditures of revenue for duplicative services and manpower could amply be justified. But the data does not bear this out.

Prior to this study, it could only be asserted that duplication of effort does occur and that this duplication does require greater expenditures of tax dollars. This assertion was supported by the following chart from a 1970 report on sanitary food inspections by the Joint Committee on Consumer Protection. Chart 2 reveals, with respect to the health departments' food inspection activities as compared with similar activities performed by the Department of Agriculture, a personnel overlap ranging from 22% to 62% in the ten largest counties.

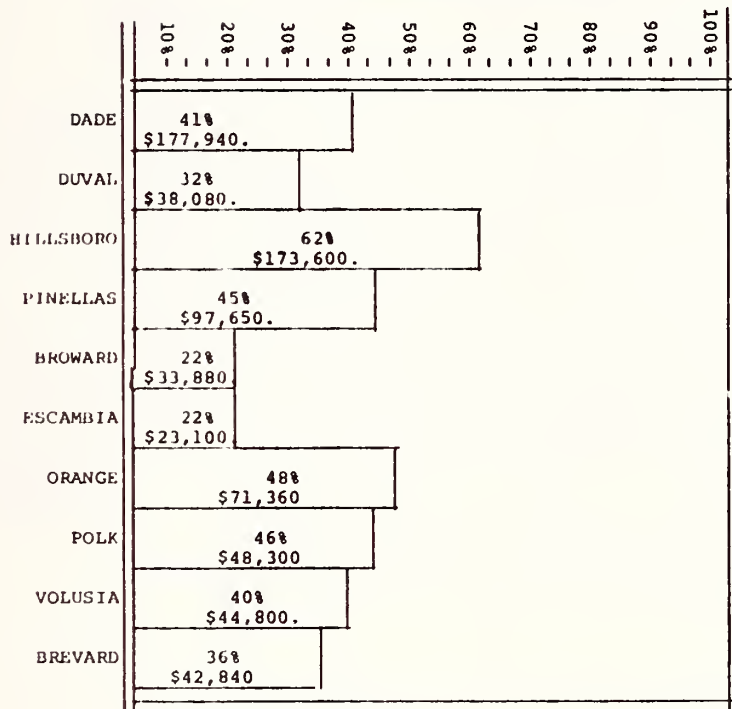


CHART 2

HEALTH DEPARTMENT INSPECTION FUNCTIONS  
OVERLAPPING WITH THE DEPARTMENT OF AGRICULTURE  
10 MOST POPULOUS COUNTIES

total approximate cost of duplication of  
activities; \$751,550.

% OVERLAPPING INSPECTIONS



Based upon salaries of personnel in the departments performing these duties, this represents an approximate dollar loss



to the Florida taxpayer of \$750,000, as indicated in Chart 2. Further, the Division of Health's functions overlap with a multiplicity of other agencies' activities. The following chart underscores this point:

CHART 3

INSPECTION<sup>1</sup>  
ACTIVITIES OF LOCAL HEALTH UNITS IN THE ELEVEN  
MOST POPULOUS COUNTIES, 1968

COUNTY	Eating and Drinking Establishments	Food Processing Plants	Abattoirs	Shellfish and Crustacea	Grocery and Meat Market	Dairy Farms	Milk Products	Other Foods
DADE	22,942	2,473	205	48	5,719	479	2,495	1,913
DAVAL	3,811	457	1	14	2,353	2	14	369
HILLSBOROUGH	18,606	682	366	23	8,498	1,709	725	3,471
PINELLAS	10,318	452	0	21	3,828	134	1,450	555
BROWARD	4,178	100	0	0	1,299	0	220	64
ESCAMBIA	4,506	259	13	67	1,142	1,117	109	173
ORANGE	8,068	585	239	10	2,717	76	123	172
FOLK	3,458	269	28	0	1,489	314	79	133
FLORIDA	3,097	200	0	37	507	251	254	135
BREVARD	2,666	55	1	212	787	10	12	72
PALM BEACH	3,849	48	0	0	1,459	397	406	15
TOTALS	85,499	5,580	853	432	29,798	4,489	5,887	7,072
PERCENTAGE OF ALL IN- SPECTIONS IN THE STATE	77%	84%	82%	37%	89%	52%	94%	74%

<sup>1</sup> Inspections made by sanitarians in the local health departments.

Recognizing the seriousness of the situation, the leadership of the Legislature as early as 1969 had urged representatives from the Department of Agriculture and the then State Board of Health to meet to attempt to formulate an agreement on an elimination of certain parallel inspection



functions. This meeting occurred in February of 1969 and since no agreement was forthcoming which substantively altered the status quo, it can be assumed that the jurisdictional difficulty still remains. Further meetings subsequent to this initial one have similarly concentrated on the delineation of specific responsibilities while leaving the overall situation essentially unchanged.

The majority of the legislation introduced in both houses of the Legislature during the past two sessions, which attempted to resolve the problem by piecemeal reassignment of specific functions from one agency or department to another, failed. The scope and content of the attached abstract of legislation for these past two sessions illustrates the Legislature's efforts to resolve this difficulty (See Appendix A-2). Perhaps new perspectives for the resolution of this situation are required.

It is the purpose and intent of this report, therefore, to offer for Legislative consideration a new set of criteria for evaluating the quality of food inspection services in the State of Florida. The report will attempt to differentiate between those inspections directly relating to public health. Toward this goal, the following courses of action





were taken.

1. The areas of duplication were identified and the appropriate statute references which authorize the respective agency activity were delineated.
2. A questionnaire was designed to assess the level of activity and the overall capability of the respective agencies to perform inspection functions. This questionnaire was distributed to all state agencies involved, the answers were collected and tabulated, and the results are reported in this study.

Delineation of Statutory Authority for  
Food Inspection for Four State Agencies

Overview: General Statutory Authority for  
Food Inspection Activity

Concurrent jurisdiction in the food and food processing area can be seen as a consequence of efforts to solve immediate problems, i.e., over a period of time, various agencies have been authorized by statute to inspect food and food establishments as problems arose.

The Florida Department of Agriculture and Consumer Services conducts sanitary inspections as well as performing regulatory inspections pertaining to the labeling, net weighing and adulteration of foods produced in processing plants



or held or offered for sale at retail food establishments. The authority and responsibility for the Department to conduct food-related inspections is contained in Chapter 500, Florida Statutes, "Foods, Drugs, and Cosmetics"; Chapter 502, "Milk and Milk Products"; Chapter 570, "Agriculture, Horticulture, and Animal Industry"; Chapter 583, "Poultry and Eggs"; and Chapter 585, "Red Meats and Poultry".

Section 500.02 of the Florida Food, Drug, and Cosmetic Law stipulates that one of the ultimate purposes of the chapter is the safeguarding of the public health and the promotion of the public welfare by the protection of the consuming public from injury by product use and the purchasing public from injury from merchandising deceit flowing from intrastate commerce in food, drugs, and cosmetics.

Section 500.032 of the chapter, which calls for a declaration of cooperation between the Department of Agriculture and the Division of Health, designates specific duties to the two agencies:

- "(1) The Department of Agriculture shall be and is hereby charged with the administration and enforcement of the provisions of this chapter designed to prevent fraud, adultera-



tion, misbranding, or false advertising in the preparation, manufacture, or sale of articles of food used in human consumption, and it is further charged to enforce the provisions of this chapter relating to the production, manufacture, transportation, and sale of foods used for man, as well as articles entering into and intended for use as an ingredient in the preparation of foods used for man."

- "(2) The Division of Health shall be and is hereby charged with the administration of the provisions of this chapter designed to prevent fraud, adulteration, misbranding, or false advertising in the preparation, manufacture, or sale of articles of drugs, devices, or cosmetics and the said division is further charged to enforce the provisions of this chapter relating to the production, manufacture, transportation and sale of drugs, devices and cosmetics as defined in this chapter."

The bulk of the statutory authority for the Division of Health to conduct sanitary inspections is contained in



Chapters 381.031(3), 381.061, 385.04, and 386.041, Florida Statutes. Chapter 385 is of particular interest in that it empowers the Division of Health to have jurisdiction in hotels and boarding houses, a province also of the Division of Hotels and Restaurants.

The Division of Hotels and Restaurants is empowered by Chapter 509, Florida Statutes with the inspection of food service establishments, apartment houses, hotels, and motels.

The Department of Natural Resources is given authority by Chapter 370, Florida Statutes, and the Seafood Quality Control Code (Chapter 16-2, FAC) to inspect seafood.

Chart 4 provides an overview of the general statutory authority for food inspection activity in the State of Florida.

CHART 4

GENERAL STATUTORY AUTHORITY FOR FOOD INSPECTION ACTIVITY						
Division of Hotels and Restaurants	Division of Marine Resources	Bureau of Meat Inspection	Division of Inspections	Division of Dairy Industry	Division of Chemistry	Division of Health
509	370	585	500, 502, 503, 531, 570, 583	502, 570	500, 580	381, 500 385, 386





### Statutory Overlap: Six Substantive Areas

The performance of inspection functions are most apparent in six substantive areas, involving the inspection of the product itself and/or inspection of the establishment processing or serving the product. These areas include the following:

1. Meat inspection
2. Dairy Products
3. Food Processing plants
4. Food Service Establishments
5. Seafood
6. Duplications in Laboratory Examinations

Duplication exists in all of the areas listed above with the exception of the performance of meat inspections. This activity was incorporated into this report even though no duplication exists, in order to present a complete overview of state food inspection activity.

### Meat Inspections

The spring of 1951 marked the inauguration of a compulsory, state-wide meat inspection program which replaced the previous voluntary inspection. As of October 1, 1969, all meat offered for sale in Florida was required to be inspected, and all non-inspected or unfit meat was required to be decharacterized or destroyed.

Meat inspectors within the Department of Agriculture have power of condemnation and destruction of any carcass, meat, or meat product found to be unfit for human food. Chapter 585, Florida Statutes, with accompanying rules and regulations requires that meat animals be inspected on an ante-mortem basis



to determine fitness for food. Post-mortem examination is conducted individually for each carcass. The statutes require adequate sanitation practices as well as the proper compounding of the product, and proper labeling and filling of the container.

The Bureau of Meat Inspections of the Division of Animal Industry within the Department of Agriculture asserts that there is no duplication of meat inspection activities in the officially inspected establishments in Florida by any other agencies, including other units of the Department of Agriculture. This activity has been incorporated into this report, even though no duplication exists, in that it is a legitimate inspection function related to public health. The Division of Animal Industry feels that this activity is best located in the State Veterinary Group in the Department of Agriculture because of its historical function of preventing disease outbreaks which would endanger the consumer and the economy. Meat inspection is derivative of Veterinary Medicine and is closely related to animal disease control.

The Division of Animal Industry reports that thirty-eight other states include meat inspection activities in their Departments of Agriculture while eight states incorporate it within their Health Departments.



### Inspection of Dairy Products

It is particularly important that milk and milk products be inspected thoroughly by qualified personnel at every stage of production since milk can be a deadly carrier of pathogens. The problems associated with duplication in this area can be traced to Chapter 381.031, for the Division of Health, and Chapter 502.171, for the Department of Agriculture.

While the Department of Agriculture has the responsibility for the administration of milk inspections there is a type of local option operative in Chapter 502.171, Florida Statutes, which permits inspection by county health departments. Presently, permits to operate milk product establishments are generally issued by the Department of Agriculture and Consumer Services. When the provisions of the local option are exercised the local health departments are the units which issue the required permits. As of 1968, the county health departments performed milk inspections in 28 counties.

The Division of Dairy Industry within the Department of Agriculture and Consumer Services felt that there was some duplication of effort in their inspection activity though it indicated that it was the Division of Health's concurrent jur-



isdiction which was complicating and confusing matters. The Division of Dairy Industry pointed to the fact that the Division of Health had, prior to reorganization when it was the State Board of Health, formally relinquished its supervisory authority in three counties yet still maintained survey inspections. The division of dairy industry further asserted that county health departments varied in their sampling procedures and did not collect any samples from farms. It was also claimed that Agriculture was the only agency to perform pasteurization checks and to perform complete analyses on milk and milk products.

The argument is advanced by the Division of Dairy Industry that the milk control program administered by the Division of Health and local county health departments lacks continuity. Some counties have complete sampling and testing while others do not. Interagency duplication of services was claimed to result in double and triple sampling of the same establishment. This was burdensome to the industry and could lead to confusion on what is official and what is not. Licenses could be placed in jeopardy as a consequence. As indicated in the below chart, the present statutory and administrative





provisions suggest the focal point of the difficulties.

CHART 5

CONCURRENT DAIRY PRODUCTS JURISDICTION:

AGRICULTURE AND HEALTH

Department of Agriculture

502.171 This law (the Florida Milk and Milk Products Law) shall be enforced by the Commissioner (of Agriculture).

Division of Health

502.171 This law may also be enforced by municipal and county health officials.

502.171 ...nothing in this law shall be construed as superceding or rendering ineffective or invalid any such local regulations or law.

381.031(c) It shall be the duty of the Board to adopt...rules and regulations for...milk, dairies, and milk plants....

Inspection Duplication in Food Processing Plants

In the area of food processing plant inspection there is a considerable amount of overlapping statutory and administrative authority. The Division of Health can inspect such plants under the auspices of Chapter 381.031(g)(3), Florida Statutes, as well as Chapter 170C-17, Florida Administrative Code.



The Department of Agriculture is given specific authority to inspect food processing plants by Chapter 500.21(1), Florida Statutes. There is an overlap here since both agencies are empowered to enter and inspect food processing plants. The attached chart illustrates in some greater detail the scope of the duplicative statutes among three state agencies and the repetitive functions performed by them.

CHART 6

STATUTORY DUPLICATION REGARDING FOOD PROCESSING PLANT INSPECTION

<u>Division of Health</u>	<u>Department of Agriculture</u>	<u>Department of Natural Resources</u>
381.031(g) It shall be the duty of the Board to ...adopt, promulgate, repeal, and amend rules and regulations consistent with law regulating...production, handling, processing, and sale of food products and drinks...; canning plants, restaurants and all other places serving food and drink to the public.	<u>500.031</u> The Department of Agriculture...is hereby charged with the administration and enforcement of the provisions of this chapter designed to prevent fraud, etc., in the processing, manufacture, etc., in the sale of foods used for human consumption.	<u>115D-1.11</u> The enforcement of the provisions of this subsection...shall be administered by the Department of Natural Resources or its agents.
<u>500.21(1)</u> ...the Board of Health...shall have free access...to any factory, warehouse, or establishment where foods, drugs, or cosmetics are manufactured, produced, etc....	<u>500.21(1), (2)</u> The Department...shall have free access ...to any factory, warehouse, etc.	<u>115D-1.18</u> Seafood may be examined sampled...by the Department of Natural Resources, as often as may be necessary to determine freedom from unwholesomeness, adulteration, or misbranding.



Duplications in Inspections of Food Service Establishments

Duplication in this area of sanitary inspection activity centers on operations conducted by the Division of Health and the Division of Hotels and Restaurants of the Department of Business Regulation. The statutory authority for each of the divisions is outlined below.

CHART 7

FOOD SERVICE ESTABLISHMENTS

Division of Hotels and Restaurants

509.032 The Division of Hotels and Restaurants shall carry out and execute all of the provisions of this chapter and all other laws now in force or which may hereafter be enacted relating to the inspection or regulation of public lodging or public food service establishments for the purpose of safeguarding the public health, safety, and welfare.

509.241(2) All public food service establishments are required to be licensed by the Division of Hotels and Restaurants.

509.231 Authorize the Division  
509.292 of Hotels and Restaurants to inspect seafood and butter to determine if misrepresentation has occurred.

Division of Health

381.031(g) It shall be the duty of the Board of Health to adopt rules and regulations for...restaurants and all other places serving food and drink to the public.

170C-16 FAC The Division of Health issues permits to food service establishments under the general authority in Chapter 381.031, Florida Statutes, and also under the Administrative Code, which is the Sanitary Code of Florida.



## Duplications in Seafood Examinations

No less than four separate agencies have authority to conduct seafood related inspections. Though the Division of Health is the agency charged with the prime responsibility in this area, the Department of Natural Resources (through the enforcement of the Seafood Quality Control Code), the Division of Hotels and Restaurants, and the Department of Agriculture share jurisdiction. The following chart indicates the intricacies of this duplicative arrangement.

CHART 8

### SEAFOOD PROCESSING PLANTS: INSPECTION OVERLAP

	DEPARTMENT OF AGRICULTURE	DIVISION OF HEALTH	NATURAL RESOURCES	HOTELS AND RESTAURANTS
FISH	Inspects processing plant for: 1. Wholesomeness 2. Economic Factors 3. Sanitation		Inspects boats and unloading and dockside facilities; primary and secondary food processors; sanitary conditions and product quality.	Inspects for misrepresentation in seafood and butter.
CRUSTACEA	Inspects processor if final product is mixed: e.g. "deviled" crab, etc., also inspects for economic factors.	Inspects processing plant for: 1. Wholesomeness. 2. Sanitary conditions.		
SHELLFISH	Inspects processing plant if final product is "mixed"; also inspects for economic factors.	Inspects processing plant for: 1. Wholesomeness of product. 2. General sanitation of premises	By agreement with the Division of Health inspection of the water environment of shellfish.	

N.B.: Primary responsibility for all food processing inspection is vested in the Department of Agriculture by Chapter 500, Florida Statutes.

The inspection program of the Division of Health is annually evaluated by the U.S. Public Health Service and is currently approved. A record of inspection in which the Health Department carries out is kept at the county level.





### Duplications in Laboratory Examinations

Microanalytic examinations performed in laboratory analyses of food products differ in kind and in their application by the Department of Agriculture and the Division of Health. The principal types of examinations conducted are as follows:

1. Chemical Examinations - analysis of food for harmful chemicals, poisonous substances, unlawful preservatives, and other ingredients. The analysis of foods for composition where standards for composition have been established and the examination of foods for composition to determine if contents are in compliance with labeling claims as well as vitamin and mineral assay are made. Chemical examinations are the principal variety performed in the Department of Agriculture.
2. Examination of Foods for Extraneous Materials - this involves the examination of food for rodent, avian, and insect contaminants and for miscellaneous contaminants such as dirt and debris.
3. Microbiological Examination - this involves the examination of potentially hazardous foods such as frozen eggs, non-fat dry milk, and meat salads for the presence of bacteria most commonly associated with food poisoning (e.g., clostridium perfringens, staphylococcus aureus, and all types of salmonella.)



In addition, various foods are analyzed for contaminants with molds and yeast. The Division of Chemistry of the Department of Agriculture reported that they only rarely conduct microbiological examinations on food products in their laboratories. Their surveillance is from the standpoint of harmful chemical substances only. The Division of Health laboratories, however, conduct extensive microbiological tests as a matter of routine.

The duties of the Pesticide Residue Analysis Program in the Department of Agriculture are to inspect and analyze samples of all food produced and/or sold in the state to ascertain if any adulteration within the meaning of Chapter 500, Florida Statutes (The Food, Drug, and Cosmetic Law), has occurred. Primary attention is given to fruits and vegetables. In addition to this, analyses are conducted on all other principal foods, feeds and seeds, and pesticides, submitted by inspectors from other divisions of the Department of Agriculture. Other state agencies, such as the Division of Health, the Department of Game and Fresh Water Fish, Agricultural Experiment Stations, and county agricultural agents also submit samples for analysis where it is suspected that there is an improper use, adulteration, or contamination caused by pesticides.



Activities of the inspection laboratories of the Division of Chemistry include the inspection of vegetables at all stages of marketing, sampling of lots of food suspected of contamination, the issuance of stopsale notices, and the supervision of the disposition of contaminated products. Approximately 40% of the samples received by the laboratories are submitted by other divisions of the Department of Agriculture and other state agencies. Figures for the three fiscal years listed below indicate the sample breakdown:

<u>Agencies</u>	<u>1966-67</u>	<u>1967-68</u>	<u>1968-69</u>
Division of Chemistry	3,434 (50%)	3,863 (54%)	3,914 (57%)
Other Divisions	2,722 (40%)	2,744 (38%)	2,691 (39%)
Other Agencies	677 (10%)	578 ( 8%)	249 ( 4%)
All Samples	6,833	7,185	6,854

The above named divisions and laboratories of the Department of Agriculture were of the opinion that any duplication of services between their functions and similar ones performed by other state agencies was minor at best. It was felt that any duplication which might result from the rendering of a particular service occurs as a convenience to someone in an adjacent organization. It was also noted that the Food and Pesticide Residue Laboratories and the laboratories of the Division of Health were reported to have an excellent working



relationship with each other and maintain continuous cooperation, referring samples to each other and exchanging information on methods and problems. The Food Laboratories did admit, however, that their work was conducted from the standpoint of surveillance of products for unwholesomeness and pathogenicity, examinations for the presence of disease bearing organisms are not routinely conducted.

These laboratories further contended that if their work were shifted to another Department, the Department of Agriculture would still have to maintain a laboratory or laboratories for the analysis of meat, poultry, and their by-products to conform with the requirements of cooperative agreements which have been signed with the state and the Food and Drug Administration in connection with the federal wholesome meat and poultry agreements. The Department of Agriculture, it was further contended, would need to maintain a laboratory to determine pesticide residues on meats, poultry, eggs, dairy products, and feed, and to analyze food obtained for state institutions to make certain that such products are in compliance with the specifications of the Department of General Services. This would not preclude, however, a consolidated laboratory apparatus from carrying out these agreements as a successor apparatus to the present one.





The Division of Health reported that they are not charged with the maintenance of food grades or nutritional standards, nor do they routinely test for same in food, in as much as this is a province of the Department of Agriculture,

The position of the Division of Health with respect to the above named divisions of the Department of Agriculture is that such a health-related activity as sanitary food inspection should most properly belong to the official health agency. Duplicate organizations to those in Agriculture exist in the Division of Health laboratories in Jacksonville as well as in their regional state laboratories in the following areas,

Miami

Tampa

Pensacola

Tallahassee

Lantana

St. Petersburg

Rockledge

Apalachicola



Similar services are also provided to a lesser extent in the health departments in the 67 counties.

While it is not the attempt of this report to fault the competence of the technical personnel of either organization, it is to be observed that the state is paying for the cost of two separate laboratory apparatus and there is ample reason to believe that some of the expense attached to this is burdensome for the taxpayer.

The data in this section clearly delineates the previous assumption that there is a considerable amount of overlapping statutory authority which empowers several agencies to perform a considerable amount of inspection activity in the area of food and food processing. In order to pinpoint responsibility and centralize authority for the performance of these functions, it is necessary for the Legislature to be aware of the existence of duplicating statutory authority.

An assessment of the overall capabilities of the respective agencies to perform inspection functions, while not evident in an analysis of the statutes alone, was ac-



complished through the application of an extensive questionnaire. When the results of the questionnaire are examined, there will be considerably firmer grounds upon which to base conclusions and bring forth recommendations with respect to the performance of food inspection functions as a whole.

### Findings

An analysis of overlapping statutory authority has served only to identify those areas in which duplication exists. Solutions to those problems resulting from duplication, however, lie only in an indepth study of the capabilities of each agency to perform inspections which are vital to public health and of the costs to the state as a result of duplication of effort. In order to acquire information relating to capabilities and costs, a questionnaire was designed and delivered to each of the agencies involved<sup>1</sup>. Inquiry was made into personnel practices and policies, training of inspectors, organization of inspections, standards, and expenditures. An analysis

---

<sup>1</sup>

See Appendix A-1



of the results of this inquiry follow:

### Personnel

Four areas were felt to be of primary importance with respect to personnel: the number of inspection, administrative and support personnel involved in the performance of food inspection functions, salary schedules for agency employees, turnover rates, and comparative educational requirements of inspection personnel were considered to be centrally related to the performance of the inspection function. In this report, the term inspection personnel refers to actual "inspectors" as distinct from administrative or support personnel.

There is a sizeable number of personnel attached to food inspection activities in the seven agencies, as the following tables indicate. Between 728 and 762 individuals are involved statewide. Further, inspection personnel number from approximately 608 to 634 while support and administrative staff represent approximately 128 of the total. It is also to be observed that the Division of Health's sanitarian personnel are more generalists than specialists in any area of food inspection. The numbers of inspection personnel they reported were not so much full time food inspection employees as much as equivalent full time





employees. The distinction, based upon the fact that inspection may be only part of their activity, is to be noted because it distinguishes the Division of Health personnel from specialists such as those employed in the Division of Dairy Industry of the Department of Agriculture. Statewide, as further analysis will reveal, this number is inadequate for the performance of inspection activities given the existence of divided jurisdictions and duplicative efforts. If, however, functions were consolidated, a lesser number of agencies would find this total number of personnel to be ample.

CHART 9.

NUMBER OF ADMINISTRATIVE, SUPPORT, AND INSPECTION  
PERSONNEL BY AGENCY FOR THREE FISCAL YEARS

Division of Hotels and Restaurants	Division of Marine Resources	Bureau of Meat Inspection	Division of Inspections	Division of Dairy Industry	Division of Chemistry	Division of Health	
9			2 ( 2 )	2	3	24	1968-69 Administrative
18 ( 3 )			13 ( 1 )	6 ( 1 )	6	21	Support
88 (13)			73	35 ( 1 )	29 ( 1 )	141	Inspection
115 (16)			88 ( 3 )	43 ( 2 )	38 ( 1 )	186	TOTAL
9		7	2 ( 2 )	2	3	24	1969-70 Administrative
16 ( 3 )		6	13 ( 1 )	6 ( 1 )	6	22	Support
88 (14)		191	76	35 ( 1 )	31 ( 1 )	156	Inspection
113 (17)		204	91 ( 3 )	43 ( 2 )	40 ( 1 )	202	TOTAL
10	1		2 ( 2 )	2	3	25	1970-71 Administrative
17 ( 3 )	1		12 ( 1 )	6 ( 1 )	6 ( 1 )	22	Support
93 (14)	1 (10)		90	35 ( 1 )	31 ( 1 )	167	Inspection
120 (17)	3 (10)		104 ( 3 )	43 ( 2 )	40 ( 2 )	214	TOTAL

Note: Numbers in parentheses indicate part time employees



Level of salary for inspection personnel is a crucial factor which determines to a great extent the kinds of personnel recruited and the length of time that personnel will remain with the agency. Overall it can be stated that salary ranges for "inspectors" are not competitive with comparable industry schedules. The following data verify this assertion. While salary schedules for administrative personnel saw increases ranging from 3% to 25% over the three year survey period, support personnel salaries have remained relatively stable with two exceptions: the Division of Meat Inspections realized a 145% increase in dollars allocated for support salaries and the Division of Chemistry realized a 37.5% increase. Substantial increases in dollars allocated for inspector salaries, however, was evident and are illustrated in the following chart.

CHART 10

INCREASES IN DOLLARS ALLOCATED  
FOR INSPECTORS AND INCREASES IN NUMBERS OF INSPECTORS FROM  
1968-1971

	Division of Hotels and Restaurants	Division of Marine Resources	Bureau of Meat Inspection	Division of Inspections	Division of Dairy Industry	Division of Chemistry	Division of Health
Percent Allocation Increase	30%	*	55%	36%	61%	82%	34%
Actual Personnel Increase	6%	*	*	23%	-0-	7%	15%
	* Insufficient Data						



The following chart identifies the dollars allocated for administrative, support and inspection personnel salaries in fiscal years 1968-69, 1969-70, and 1970-71.

CHART 11.

SALARIES PAID TO PERSONNEL INVOLVED IN INSPECTION

	Division of Hotels and Restaurants	Division of Marine Resources	Bureau of Meat Inspection	Division of Inspections	Division of Dairy Industry	Division of Chemistry	Division of Health
<u>1968-69</u>							
Administrative	\$ 43,294		\$	\$ 32,199	\$ 47,227	\$ 36,651	\$ 253,728
Inspection	\$611,758		\$	\$495,260	\$251,255	\$168,398	\$1,025,352
Support	\$ 60,656		\$	\$ 58,566	\$	\$ 24,730	\$ 93,996
TOTAL	\$715,708		\$	\$586,025	\$298,482	\$229,779	\$1,373,076
<u>1969-70</u>							
Administrative	\$ 26,854		\$ 78,485	\$ 37,439	\$ 61,394	\$ 41,384	\$ 286,722
Inspection	\$666,418		\$ 949,123	\$562,958	\$328,598	\$219,573	\$1,338,480
Support	\$ 71,270		\$ 14,522	\$ 59,207	\$	\$ 26,164	\$ 101,112
TOTAL	\$764,542		\$1,042,130	\$659,604	\$389,992	\$287,121	\$1,726,314
<u>1970-71</u>							
Administrative	\$ 25,720	\$ 6,124	\$ 97,583	\$ 35,731	\$ 58,824	\$ 43,332	\$ 301,500
Inspection	\$795,823	\$ 6,552	\$1,474,075	\$674,343	\$405,128	\$306,556	\$1,376,748
Support	\$ 58,205	\$ 4,368	\$ 34,241	\$ 56,856	\$	\$ 33,060	\$ 102,432
TOTAL	\$879,748	\$17,044	\$1,605,899	\$766,930	\$463,952	\$382,948	\$1,780,680

Total Salary Disbursements by all Agencies:

1968-69, \$ 3,203,070.00  
 1969-70, \$ 4,869,703.00  
 1970-71, \$ 5,897,201.00

1

Inspection Personnel salaries for the Division of Dairy Industry include salaries for laboratory personnel. Laboratory Personnel salaries were \$ 65,968. in 1968, \$ 82,176, in 1969, and \$ 174,203 in 1970. Salaries for Support Personnel are included in salaries of Administrative Personnel.



Further, the bulk of the inspection personnel in a number of agencies receive salaries in the \$464 to \$667 range. These agencies include the Division of Hotels and Restaurants, the Division of Marine Resources, the Division of Inspections, and the Bureau of Meat Inspections. The Division of Chemistry has an inequitable salary schedule to the extent that some of its inspectors could be paid less than some of its higher paid support personnel. Not only are such salary schedules non-competitive with comparable industry schedules (industry employment is the most frequently stated reason for leaving state employment), but it also seems to establish a pattern: low salary schedules coincide with short training periods, minimum educational requirements and non-technical, surveillance type responsibilities.

CHART 12.

MONTHLY SALARY SCHEDULES BY PERSONNEL CLASSIFICATION TYPE (1969-70)

<u>Division of Hotels and Restaurants</u>	<u>Department of Natural Resources Division of Marine Resources</u>	<u>Bureau of Meat Inspection</u>
78 Hotel & Restaurant Inspectors I \$464-633	1 Inspector \$605	159 Inspector I \$464-633
5 Hotel & Restaurant Inspectors II \$546-745	1 Administrator \$756	32 Veterinarian \$867-1205
6 Hotel & Restaurant District Supervisors \$615-841	2 PERSONNEL	6 District Supervisors \$927-1289
9 Building Construction Inspectors \$581-793		1 Inspection Chief \$1497
1 Hotel & Restaurant Investigator \$615-841		198 PERSONNEL
1 Assistant State Supervisor \$650-891		
1 Chief of Enforcement \$722-977		
1 Chief of Licensing \$722-977		
107 PERSONNEL		
<u>Division of Inspection</u>	<u>Division of Dairy Industry</u>	<u>Division of Chemistry</u>
4 Food Inspection Supervisors \$685-945	2 Supervisors \$ 802-1114	31 Inspectors \$385-985
3 Food Plant Inspectors \$546-745	20 Dairy Specialists \$ 568- 778	3 Adminis. \$992-1282
27 Poultry & Egg Inspectors \$464-633	2 Directors \$1048-1480	6 Support \$300-420
17 Retail & Food Inspectors \$488-667	5 Chemists \$ 708- 974	40 PERSONNEL
4 Supervisory Personnel \$685-2050	6 Technical Personnel \$ 430- 648	
76 PERSONNEL	35 PERSONNEL	
	<u>Division of Health</u>	
	25 Health Directors \$810-2331	
	167 Sanitarians \$581- 945	
	192 PERSONNEL	





Rates of turnover of personnel range from a low of 0% in the Division of Marine Resources to a high of 30% per year in the Division of Chemistry. Although the Division of Dairy Industry reported small turnover rates (2%), they had one of the highest increases in dollars allocated for the salaries of their inspection personnel exceeded only by the Division of Chemistry. Little can be gleaned from the data relating to turnover rates except that the most frequently stated reason for leaving state employment was low salaries and opportunities for better pay elsewhere.

CHART 13.

INSPECTION PERSONNEL  
TURNOVER RATES AND STATED REASONS FOR LEAVING

	Division of Hotels and Restaurants	Division of Marine Resources	Bureau of Meat Inspection	Division of Inspections	Division of Dairy Industry	Division of Chemistry	Division of Health
1968-69		0	4%-6%	1%	2%	30%	13%
1969-70	10%		12%-17%	1%	2%	30%	13%
1970-71	10%		10%-15%	1%	2%	30%	10%
	REASONS	REASONS	REASONS	REASONS	REASONS	REASONS	REASONS
	Retirement		Low Salaries	Better Pay in Industry	Better Pay in Industry	Better Pay Elsewhere	Better Pay Elsewhere; Personal Reasons



The educational qualifications for inspectors by the seven agencies are delineated in the following chart:

CHART 14.

EDUCATIONAL LEVELS OF INSPECTION PERSONNEL							
	Division of Hotels and Restaurants	Division of Marine Resources	Bureau of Meat Inspection <sup>1</sup>	Division of Inspections	Division of Dairy Industry	Division of Chemistry	Division of Health
High School	100%	100%	81%	95%			
College Graduate					100%		100%
Post-Graduate			19%	5%		100%	

Note: Division of Marine Resources inspectors are also trained in law enforcement.

<sup>1</sup>  
50% of this 81% have not even completed high school

It is readily apparent that the preponderance of inspection personnel have high school backgrounds only. High school requirements are evident for the Division of Hotels and Restaurants, the Division of Marine Resources and the Division of Inspections. The Bureau of Meat Inspection reported, however, that it had waived even this minimal educational requirement for a large percentage of its inspection personnel (50%). It is evident, therefore, that with regard to the number of inspectors in the Department of Agriculture, a preponderant number have some high school or high school backgrounds only.

Only three agencies have a preponderant number of college



educated or post college educated personnel: the Division of Health, where public health backgrounds are preferred, and the Divisions of Chemistry and Dairy Industry where chemistry and dairy science graduates are employed.

It is the Legislature which must determine the educational background it desires for inspectors responsible for the protection of public health. Given an elimination of duplicative efforts, perhaps a greater consideration will be given to the delineation of legislative intent in the area of qualifications of food inspectors.

#### Training of Inspectors

The training of inspectors is a vital area of legislative concern. In the performance of the inspection function it is hoped that personnel with acceptable educational backgrounds and qualifications are recruited and that all personnel are trained in the application of techniques required for the protection of public health.

It can be seen that while all the divisions or departments surveyed required some type of training course for their employees, the courses themselves varied in their scope, duration, and coverage of personnel. As the following chart indicates, these courses lasted from a low of two weeks to a high of six months and included classroom instruction



as well as on-the-job training.

CHART 15.

CHARACTERISTICS OF INSPECTION TRAINING COURSES

	Division of Hotels and Restaurants	Division of Marine Resources	Bureau of Meat Inspection	Division of Inspections	Division of Dairy Industry	Division of Chemistry	Division of Health
Required for Employment	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Length	6-8 Wks	3 Wks	4-6 Wks	6-12 Wks	6 Mos	N/R	2-12 Wks
Instructors	Part Time (9)	9 Part Time	1 Full Time 3 Part Time	14 Part Time	15 Part Time & Full Time	N/R	35-40 Part Time
Training Course Periodic	Yes	Yes		Yes		Yes	
Continuous			Yes		Yes		Yes
Refresher Courses	Yes	No	No	Yes	Yes	Yes	Yes
Conduct of the Training Course Agency	Yes			Yes	Yes	Yes	Yes
Federal		Yes	Yes		Yes		

The content of the multiplicity of courses ranged from mere familiarization procedures in the simple visual examination of premises and product (characteristic of the Division of Marine Resources and the Division of Hotels and Restaurants) to the complete inspection of personnel practices and product wholesomeness. The types of equipment items used by each of the agencies further documents the fact that the sophistication of the equipment used and the resulting extensiveness





in the application of sanitary inspection techniques was not uniform among all the divisions. The Division of Hotels and Restaurants, for example, listed only an automobile as its major equipment item. This can be contrasted with more advanced and technical apparatus employed by the Division of Dairy Industry.

CHART 16.

MAJOR EQUIPMENT ITEMS USED IN INSPECTIONS

Division of Hotels and Restaurants		Division of Marine Resources		Bureau of Meat Inspection	
Automobiles		Automobile	\$ 2,300.00	Hobart Fat	
		Radio	564.00	Tester &	
		Boat	1,500.00	Moisture	
		Motor	800.00	Scale	\$ 570.00
		Boat Trailer	375.00	Thermometers	14.85
		Cabinet	18.00	Rubber Stamp	2.25
		Clip Board	11.00	Brass Bands	37.50
		Forms	25.00	Coats	20.00
		Test Kit	4.00	Locks	3.90
		Thermometer	7.00	Badges	3.38
		Boots	6.00		
		Coveralls	10.00		
		Manuals	6.00		
		Gun & Belt	86.00		
		Brief Case	18.00		

Division of Inspections		Division of Dairy Industry	
Scales	\$ 353	Leveling Board	\$ 11
Weights	115	Grading Scale	8
Fat Testers	175	Thermometers	8
Black Light	53	Sulfite Kits	4
Test Kit	35	Extender Kits	3
Drills	22	Micrometers	85
Candlers	24	Oyster Kits	23
Psychrometer	13	Shrimp Kits	23
Cameras	18-40	Magnifying	
Measure Kit	225	Glass	5
		Chlorine Kit	3
		Air Meter	\$ 90.00
		Jet Tubes	.12
		Car	3,000.00
		Stop Watch	18.00
		Pulsator	120.00
		Thermometers	80.00
		Thermometers	12.00
		Salt Bridge	400.00
		Boroscope	1,800.00
		Vacuum Gauges	45.00
		Dippers	3.50
		Black Light	\$ 40.00
		Mastitis Test	
		Plates	3.50
		Casees	3.00
		Bottles	.08
		Torches	6.50
		Testkit	4.00
		Testkit	4.00
		Testkit	4.00
		Testkit	4.00
		Rack	12.00

Division of Chemistry		Division of Health	
All types of labora- tory equipment rang- ing up to \$20,000.00 cost per item.		Thermometers	
		Flashlights	
		Test Kits	
		Test Papers	
		Black Light	
		Other items as needed	



Other factors of interest with respect to training practices include information relating to the number of personnel in each agency that had completed the required training course, the duration of training periods, the requirement for and availability of refresher courses and the number of instructors who teach newly recruited personnel. The vast majority of inspection personnel, it was reported, had taken the agency training course, however extensive. One division, however, the Bureau of Meat Inspections, reported that sizeable numbers of their inspection personnel (90% of the total) had not taken the approved agency training course. Further compounding the difficulties involved in the lack of trained personnel, the Bureau of Meat Inspections reported that it had waived the minimal educational and experience qualifications of 50% of its inspection personnel in 1969-70. One other agency, the Division of Health, indicated that 15% of their inspector-sanitarians had not been formally trained.

CHART 17.

RESPONSE TO QUESTION: "HAVE ALL INSPECTION PERSONNEL TAKEN THE TRAINING COURSE?"

Division of Hotels and Restaurants	Division of Marine Resources	Bureau of Meat Inspection <sup>1</sup>	Division of Inspections	Division of Dairy Industry	Division of Chemistry	Division of Health
Yes	Yes	No	Yes	Yes	Yes	No <sup>2</sup>

<sup>1</sup>  
143 out of 159 were reported to have not taken the course (90%)

<sup>2</sup>  
25 out of 167 were reported to have not taken the course (15%)



Although the Division of Hotels and Restaurants, the Bureau of Meat Inspections, and the Division of Marine Resources had somewhat shorter training periods than the other agencies surveyed, this in and of itself was deemed to be insignificant. However, coupled with the fact that emphasis in the training in these agencies was upon visual inspection of establishments more than substantive examination of food products, this could lend some support to the belief that the operations conducted by these agencies are somewhat less technically related than similar practices employed by other agencies. While it is difficult to establish what constitutes an adequate training period for food inspection personnel, it can be observed that many agencies seem to devote a considerable amount of time to it and procure expensive capital outlay items.

Refresher courses for inspection personnel are important if inspectors are to be kept abreast of the latest developments in their particular expertise. Two of the agencies reported that no refresher courses were offered for their personnel. These same two agencies, the Division of Marine Resources and the Bureau of Meat Inspections, also did not have a training course of their own. Instead, they relied upon the federal authorities for the training of their employees.



The number of instructors for such training and refresher courses varied from 4 in the Bureau of Meat Inspections to 35-40 in the Division of Health. The Bureau of Meat Inspections, the Division of Dairy Industry, and the Division of Health all reported that training courses were continuous throughout the year, while the other divisions reported that their courses were conducted at periodic intervals.

The above data indicate that there is a wide variance in the scope, duration and coverage of employee training programs among the seven agencies surveyed. While all of the agencies deal in the regulation of food, its handling and distribution, the content of formal training programs vary considerably from one agency to another. Again, it is not an unreasonable expectation that, if an agency is charged with the protection of public health through product examination (sanitation), personnel must be minimally qualified and adequately trained.

#### Organization

The questionnaire attempted to ascertain the operating structure of the divisions involved in inspections with an eye toward assessing the exact degree of overlapping juris-





dictions. Also of interest was the determination of the frequency of inspections of establishments under the respective divisions' control. The adequate protection of public health hinges upon the frequency of inspections required and upon reasonable caseloads per inspector. This section will further explore these questions.

Except for the Division of Chemistry, all agencies had defined administrative districts composed of varying sets of adjacent counties into which their operations are decentralized. The multiplicity of districts makes the evaluation of the performance of food inspection functions a difficult endeavor. Staffing patterns and frequency of inspections by districts vary considerably between the seven agencies involved. The Division of Health's subjurisdictional areas, for example, are the 67 counties, which is simultaneously an advantage and a disadvantage. This arrangement is very efficient for purposes of span of administrative control but is inadequate in that the state has very little authority over the local health departments. During the course of research on this project it became apparent that the local county health departments were entities unto themselves insofar as the frequency of inspections is concerned. The larger counties had more active departments which did the bulk of inspections while the smaller departments were content with much less frequent activity. A lack of a coordinated, uniform plan for operation of the county health units in carrying out inspection functions was evident.



Chart 18 illustrates the various districting patterns of the agencies as well as the average caseloads per inspector:

Chart 18  
NUMBER OF ESTABLISHMENTS TO BE INSPECTED BY DISTRICT/  
NUMBER OF INSPECTION PERSONNEL PER DISTRICT/  
AVERAGE CASELOAD PER INSPECTOR

1 DISTRICT	2 Division of Hotels and Restaurants	Division of Marine Resources	Bureau of Meat Inspection	3 Division of Inspections	4 Division of Dairy Industry DF MP	Division of Chemistry	Division of Health
1	6777/ 9/753	Approximately 10,600 establishments to be inspected statewide, or an average of 963 units per inspector. (11 administrative district)	20/42/ .5	2312/11/210	71/1/71 8/1/ 8	The bulk of all analyses and determinations are performed in the central labs in Tallahassee.	Operations are decentralized among the 67 counties and the regional state laboratories. (See Appendix A-3)
2	9633/15/642		37/18/2.0	3030/23/132	48/1/48 14/1/14		
3	13447/19/708		57/39/1.5	4888/37/132	56/1/56 8/1/ 8		
4	14979/17/881		103/42/2.5	4180/19/220	44/1/44 12/1/12		
5	15647/18/869		33/22/1.5		46/1/46 15/1/15		
6	4184/ 7/598		16/34/ .5		47/1/47 14/1/14		
7					55/1/55 17/1/17		
8					41/1/41 12/1/12		
9					44/1/44		
10					45/1/45		

1  
Districts comprise varying sets of adjacent counties

2  
Agency estimates of 72 inspectors and 64,507 licensed establishments as of November 30, 1970 produce an average caseload of of 896 establishments per inspector.

3  
Agency estimates indicate that caseloads for retail inspectors average 260 stores and for plant inspectors 150 plants.

4  
The Division of Dairy Industry is divided into the Dairy Farm Inspection Unit (DF) and the Milk Products Unit (MP).

The frequency of inspections of public food service establishments under the control of the Division of Hotels and Restaurants is fixed by statute at 4.0 per year per establishment at a minimum.

However, there is no frequency fixed by statute for the Division of Health. The Division of Health reported that



it was in fact inspecting at a rate in excess of 4.0 per year. The Division of Hotels and Restaurants reported, however, that it was not in compliance, indicating that it averaged only 2.5 inspections per year per establishment and would need an additional 45 inspectors to meet the 4.0 requirement. It must be stated that this division has a limited scope of inspection activity, all of it of a non-technical nature, and yet fails to meet a standard which the Division of Health, a more diverse agency, reported it had no difficulty in meeting.

CHART 19.

	Eating and Drinking Establishments	Food Processing Plants	Abattoirs	Shellfish & Crustacea	Grocery	Other Foods	Dairy Farms	Milk Products
Admitted to Visitation	23,244	1,295	104	242	8,199	1,662	453	421
Number of Visits	116,356	7,573	519	1,299	41,661	9,186	6,495	5,011
Average Number of Visits	5.0	5.9	5.0	5.4	5.1	5.5	14.6	11.6
Weighted average:				5.1 for all operations				



With the exception of the Divisions of Dairy Industry<sup>1</sup> and Hotels and Restaurants, there is no required rate of inspection cited in the statutes for other food inspection activity. Without this required rate, an evaluation of agency activity in this area is difficult. Nevertheless, based upon the data obtained, it would seem that with the exception of the Division of Inspections, all other agencies do maintain a reasonably periodic inspection schedule. The Division of Inspections, because of low levels of manpower and large numbers of establishments to be surveyed would seem to be capable of fewer inspections per establishment per year than the Division of Dairy Industry and the Bureau of Meat Inspections. The number of personnel attached to the Division of Marine Resources also indicates that this agency suffers from inadequate manpower resources to fully carry out their activities in the enforcement of the Seafood Quality Control Code. Their 10 part time inspectors were borrowed from another division within their own department and are trained primarily for law enforcement duties, not public health sanitation. For the purpose of accountability, it would seem necessary for a standard on the frequency of inspections required be established if the Legislature hopes to be able to evaluate the performance of the food inspection function as a whole.

It is evident that there is a very low ratio of establishments per inspector in the Bureau of Meat Inspection.

---

1

The Division of Dairy Industry's inspection rate is 4.0 per year per plant and 2.0 per producer.





This in itself is an advantage in that it permits continuous monitoring of company activities on a frequent basis. However, there is some reservation with respect to this apparently advantageous arrangement. The inspector, for all intents and purposes under this procedure, becomes an integral part of the company operation and, in effect, one of its regular "employees". The question must then arise as to whom the inspector is responsible. Unless the Department of Agriculture has a program of periodic rotation of inspection personnel, there may be ample possibility that a potentially undesirable substitution of industry self-policing may result. And it was the unanimous feeling of all of the agencies surveyed that self-regulation was an undesirable practice. Secondly, as reported by the Division of Inspections, the costs of continuous in-plant inspections is borne by the processors in some instances; the processor is assessed \$3.63 per hour plus overtime for the work of the inspector. Once again, there may be a potential for abuse in such arrangements.

#### Operations and Standards

The questionnaire attempted to gather data on the scope of the operations of the agencies. Briefly, this involved an analysis of the criteria (standards) used by the agencies for the acceptance or rejection of food products.



the recourse available to processors or establishments when their products or establishments are determined to be unsatisfactory, and the incidence of substandard establishments and products in the state. Also of interest was the closeness with which the agencies monitor the products which flow into the state and national market for wholesomeness and contamination from foreign substances. Close surveillance in this area is essential if safe food substances and sanitary conditions are to be made available to the public.

Of central importance are the standards which are applied by food inspection personnel. One vital area of concern is the sanitation in food service establishments. The U.S. Public Health Service is quite specific in the food sanitation practices it recommends. It calls for a college education as a minimum entrance requirement for sanitarian personnel. Few agencies are in compliance with this recommendation. The Division of Hotels and Restaurants has no college personnel as inspectors to enforce regulations, yet the division regulates activities which are most properly a concern of public health (sanitation). The regulations recommended by the Public Health Service are aimed specifically at effective control of industry sanitation practices. The Public Health



Service further calls for frequent in-service training programs. Neither the Bureau of Meat Inspections nor the Division of Health are in adherence with this recommendation. As generalists, the Division of Health personnel cannot be expected to have expertise in the application of all technically related aspects of food inspection. Of course, it does not take a college education to tell when an obviously filthy establishment is substandard, but it may take such an education to determine whether an apparently clean establishment is just as substandard; bacteria are not always a visible commodity.

Public Health Service standards cover a wide range of food handling practices: from food protection and personal sanitation to vermin control and sewage facilities. Ratings are based upon the number of demerits received for particular violations. An establishment is unsatisfactory if it receives in excess of 40 demerits. Obviously, the Division of Health and the Division of Hotels and Restaurants have been lax in the enforcement of such demerit ratings. The Division of Health's recent survey revealed that its sample of food service establishments in only 2 of 36 counties surveyed would in any way meet U. S. Public Health Service standards.

The situation in Leon County with respect to sanitation violations in local restaurants illustrates this tragic state



of affairs. The documented violations did not occur spontaneously. They could have taken place only during long periods of time. Responsibility for such laxness in enforcement of standards must then be attached to both the Division of Health and the Division of Hotels and Restaurants. Neither agency is doing an effective job of sanitation inspection which is what the law demands and the people expect.

All of the agencies surveyed were of the opinion that state regulation and supervision of private industry was a necessity. The agencies felt that private industry was either unwilling or unable economically to conduct effective food inspection activity. But the extensiveness of agency activity to maintain an effective food inspection apparatus is varied. The Division of Hotels and Restaurants does not engage in a comprehensive food analysis program and conducts only superficial visual examination of premises licensed by their division. The Division of Marine Resources, new to the area of food inspection, does take samples but not on a routine basis and the people charged with the taking of the samples are non-professionals. Even the Division of Health reported that they had no routine or continuous inspection of food products, although they did





take samples of all types of food served in the establishments inspected by the division.

CHART 20.

SCOPE OF INSPECTION ANALYSES AND DETERMINATIONS PERFORMED

	Division of Hotels and Restaurants	Division of Marine Resources	Bureau of Meat Inspection	Division of Inspections	Division of Dairy Industry	Division of Chemistry	Division of Health
Visual or Surface Examination	X	X	X				
Complete Micro- analytic Exam			X	X	X	X	X

CHART 21.

SAMPLE EXAMINATIONS PERFORMED BY

	Division of Hotels and Restaurants	Division of Marine Resources	Bureau of Meat Inspection	Division of Inspections	Division of Dairy Industry	Division of Chemistry	Division of Health
Agency Itself			X	X	X	X	X
Samples (if taken) are referred to another agen- cy for exam- ination	X	X					

Comprehensive sampling should be performed to insure safety of food consumed by the public at large and laboratory services must be available for the analysis of collected samples.



Procedure for reimbursement of private industry for confiscated substandard products needs to be carefully evaluated by the Legislature. In response to a question about compensation paid to private industry for confiscated substandard products, the Division of Inspections and the Division of Health reported that they offer to pay for official samples collected from manufacturers, processors, and vendors for laboratory examination. The Division of Dairy Industry stated something substantially different:

In certain cases, dairy products contaminated for pesticides may be reimbursed by the Agricultural Stabilization and Conservation Service, a federal entity, when it is deemed that the products were contaminated not due to the fault of the milk producer when so certified by the Division of Dairy Industry.

This poses an interesting situation in that during the course of this research, information was received that compensation from federal tax revenues paid to private dairy interests was not unusual. Some thought should be given to reviewing present policy regarding reimbursement schedules for samples collected and products condemned.

The following figures document the extent and amounts of stopsaled and/or condemned food products for the past three fiscal years.



CHART 22.

FOOD AND MILK PRODUCTS REPORTED CONDEMNED OR STOPSALED (IN POUNDS)							
	<sup>1</sup> Division of Hotels and Restaurants	<sup>2</sup> Division of Marine Resources	Bureau of Meat Inspection	Division of Inspections	<sup>3</sup> Division of Dairy Industry	<sup>4</sup> Division of Chemistry	Division of Health
1968-69			1,542,292	1,549,382	940,000		
1969-70			1,711,860	4,553,534	1,056,961		
1970-71		1,079	2,550,000	2,656,328	N/A		2,444,544

<sup>1</sup>  
Not Applicable for the Division of Hotels and Restaurants since they reported no sampling statistics for food products.

<sup>2</sup>  
Estimate based upon two months of operation.

<sup>3</sup>  
Of the 1969-70 total, 684,663 pounds were reprocessed into frozen desserts. 1971 figures were not available.

<sup>4</sup>  
The Division of Chemistry reported that product statistics were not kept by pounds but by samples or crates found unacceptable. During FY 1968-69 the division stop-saled 6,257 crates of vegetables and destroyed 3,459 crates; during FY 1969-70, 4,435 crates were stop-saled and 934 were destroyed; for FY 1970-71 the division anticipates stop-saling 10,000 crates of vegetables and destroying about 1,100 crates.

While the numbers are only a small fraction (about 1%) of the amounts of approved food products which enter the market each year, it is still significant to note the large amounts of substandard items which fail to meet quality control regulations. However, not all of these substandard products are destroyed. As the Division of Dairy Industry and the Bureau of Meat Inspections reported, some products considered unfit for human consumption under one set of criteria can be rechanneled, reprocessed, or relabeled, and then remarketed. Thus some meat and dairy products can be resold as animal food or frozen deserts. It should be noted that evaluation of the effectiveness of food inspections on the basis of the amount



of stopsaled or condemned food products is impossible to date due to a lack of a uniform reporting formula. At the present time, reports are made on the basis of pounds, samples, and crates, none of which are comparable.

The following can be concluded from the data presented in this section: Rigorous standards for the protection of public health must be consistently and frequently applied in the area of food service and standards for other inspection activities should be generated. Reporting of stopsaled substances should be on a uniform basis and procedure for the compensation of private industry for stopsaled or condemned products should be reviewed carefully. Comprehensive sampling should be performed and laboratory services must be available for the analysis of collected samples.





Expenditures and Revenues

The costs involved in the performance of food inspection functions for fiscal years 1968-69, 1969-70, and 1970-71 are illustrated in the following chart.

CHART 23.

	Division of Hotels and Restaurants	Division of Marine Resources	Bureau of Meat Inspection	Division of Inspections	Division of Dairy Industry	Division of Chemistry	Division of Health
1968-69							
Salaries	\$ 715,708	-0-	\$ 961,365	\$ 586,015	\$ 298,482	\$ 229,779	\$1,373,076
Capital Outlay	\$ 5,265	-0-	\$ 468	\$ 3,492	\$ 8,079	\$ 12,380	\$ 2,985
Expenses	\$ 196,341	-0-	\$ 145,245	\$ 187,943	\$ 132,230	\$ 64,067	\$ 71,600
Personal Services	\$ 41,302	-0-	\$ -0-	\$ 1,958	\$ 1,800	\$ 1,982	\$ 109,846
TOTAL	\$ 958,616	-0-	\$1,107,078	\$ 779,408	\$ 440,591	\$ 308,208	\$1,557,507
1969-70							
Salaries	\$ 764,542	-0-	\$1,042,132	\$ 659,631	\$ 389,992	\$ 378,121	\$1,725,864
Capital Outlay	\$ 26,667	-0-	\$ -0-	\$ 8,488	\$ 23,151	\$ 19,955	\$ 3,220
Expenses	\$ 181,630	-0-	\$ 205,373	\$ 201,054	\$ 147,350	\$ 67,372	\$ 74,000
Personal Services	\$ 47,000	-0-	\$ -0-	\$ 1,600	\$ 2,700	\$ 4,159	\$ 138,069
TOTAL	\$1,019,839	-0-	\$1,247,505	\$ 870,773	\$ 563,193	\$ 469,607	\$1,941,153
1970-71							
Salaries	\$ 879,748	\$ 17,044	\$1,605,899	\$ 766,930	\$ 463,952	\$ 382,948	\$1,780,680
Capital Outlay	\$ 44,517	\$ 11,411	\$ 5,720	\$ 14,929	\$ 21,565	\$ 15,504	\$ 3,376
Expenses	\$ 195,309	\$ 7,171	\$ 232,553	\$ 232,248	\$ 144,485	\$ 66,350	\$ 76,500
Personal Services	\$ 47,000	\$ -0-	\$ -0-	\$ 2,660	\$ 2,700	\$ 4,000	\$ 142,455
TOTAL	\$1,166,574	\$ 35,626	\$1,844,172	\$1,016,767	\$ 632,702	\$ 468,802	\$2,003,011
Total Agency Expenditures:				1968-69:	\$ 5,151,408		
				1969-70:	\$ 6,112,070		
				1970-71:	\$ 7,167,654		

As the table above indicates, the State of Florida expanded in excess of 5 million dollars in 1968-69, 6.1 million dollars



in 1969-70 and about 7 million dollars for the present fiscal year exclusively on food related inspection activities. That duplication of effort is occurring has been confirmed. This chart indicates just how costly this duplication has been to the State of Florida. The Division of Dairy Industry, the Bureau of Meat Inspection and the Division of Inspection reported increases in dollars allocated for expenses of 9%, 60%, and 23% respectively. The Division of Hotels and Restaurants, the Division of Chemistry, and the Division of Health's expense levels have remained relatively stable for the survey period.

Expenditures for operating capital outlay (OCO) were generally uniformly low for all of these agencies. The significance of these data for the overall agency activity was judged to be marginal. However, it is interesting to note that the Division of Hotels and Restaurants managed a significant increase in OCO in three years from approximately \$5,000 to an excess of \$44,000. The Division of Inspections had a fourfold increase while the Division of Dairy Industry more than doubled theirs.



The next chart delineates the sources of revenue available to the seven agencies for the inspection of food and food related areas. It should be noted that the sources of revenue relied upon include general revenue, trust funds, federal funds, and licensing fees.

From the State's perspective it should be noted that the Division of Chemistry is perhaps the most economically operated agency involved in food inspection. All of their funds are derivative of either fees levied upon products inspected or federal monies. The Division of Inspections, the Bureau of Meat Inspections, and the Division of Health had similar revenue arrangements which served to lessen the burden placed upon General Revenue. The Division of Hotels and Restaurants and the Division of Dairy Industry exhibited the most plentiful use of General Revenue funds in proportion to their total fund allocation. In the three fiscal years for which data are reported, the Division of Hotels and Restaurants showed a 30% increase in General Revenue funding and about a 9% decrease in fees collected. In the same period, the Division of Dairy Industry almost doubled its share of General Revenue funds. Division of Health figures and those for the Division of Inspections are incomplete.



In the following table a further breakdown of revenue disbursements was made. The below table categorizes expense disbursements by the seven agencies surveyed.

CHART 24.

	Division of Hotels and Restaurants	Division of Marine Resources	<sup>2</sup> Bureau of Meat Inspection	Division of Inspections	Division of Dairy Industry	Division of Chemistry	<sup>1</sup> Division of Health
1968-69							
Gen Revenue	\$ 753,175		\$ 961,365	\$	\$340,591	\$	\$
Trust Funds	\$		\$	\$	\$	\$ 308,208	\$
Federal \$ <sup>1</sup>	\$		50-50 Match	\$	\$	\$	\$
Other	\$ 205,891		\$	\$	\$	\$	\$
TOTAL	\$ 959,066		\$ 961,365	\$	\$340,591	\$ 308,208	\$
1969-70							
Gen Revenue	\$ 816,758		\$ 550,000	\$ 534,067	\$563,193	\$	\$
Trust Funds	\$		\$	\$ 290,297	\$	\$ 369,607	\$
Federal \$	\$		50-50 Match	\$ 8,563	\$	\$ 30,421	\$
Other	\$ 203,081		\$	\$	\$	\$	\$
TOTAL	\$1,019,839		\$1,100,000	\$ 832,927	\$563,193	\$ 400,028	\$
1970-71							
Gen Revenue	\$ 978,579	\$	\$ 843,857	\$	\$632,702	\$	\$ 930,000
Trust Funds	\$	\$	\$	\$	\$	\$ 468,802	\$
Federal \$	\$	\$	50-50 Match	\$	\$	\$ 44,310	\$ 660,000
Other	\$ 187,995	\$ 35,626	\$	\$	\$	\$	\$ 391,613
TOTAL	\$1,166,574	\$ 35,626	\$1,687,714	\$	\$632,702	\$ 513,112	\$1,981,613

<sup>1</sup>  
Such as licensing fees.

<sup>2</sup>  
The Bureau of Meat Inspection reported that federal funds were received for the last ten days only in fiscal 1968-69. The figure for fiscal 1969-70 is based upon a \$1.1 million expenditure.

<sup>3</sup>  
The Division of Health reported that fees cover from 1% to 32% of costs in five counties only. The other sixty-two counties depend upon state and local appropriations. 74% of such appropriations come from local sources, chiefly Boards of County Commissioners and Public Instruction.





According to data supplied by the agencies, there appears to be a spiralling pattern to agency budget requests which evidences itself most clearly with respect to the Division of Hotels and Restaurants, the Bureau of Meat Inspections, and the Division of Dairy Industry. This may also be true of the Division of Health, were complete data available for the entire survey period.

Effective utilization of state resources can never be fully realized until the elimination of duplicate, costly operations is accomplished. Superfluous activities are a significant tax burden on the state and do not supply maximum benefit for amount disbursed. The previous chart supplied by the Joint Committee on Consumer Protection really only scratches the surface as far as costs are concerned.

While the data on expenditures was complete, some of the agencies surveyed, such as the Division of Health, the Division of Inspections and the Bureau of Meat Inspections could not reconcile their revenues collected with the amounts disbursed. Perhaps some difficulty in the itemization of specific food related activities may be the cause of



this. In any event, the discrepancy in the amounts reported is to be noted. Thus complete data on revenues collected is approximate more than precise.

It is evident that an extensive analysis of fees collected for the performance of food inspection activities is required. The data indicates that some agencies collect fees for the performance of these functions while others do not. The Legislature may wish to explore avenues for the establishment of comparable and reasonable fee schedules for the inspection of all rather than just some of the vast array of food inspection activities.



Food Inspection Activities by Seven State Agencies:

Summary of Findings

Division of Hotels and Restaurants,  
Department of Business Regulation

This agency, the third largest of all agencies surveyed, reported that 100% of their personnel have high school backgrounds only. The question arises as to whether public health functions can or should be carried out by individuals with non-public health backgrounds.

It was further noted that the agency experiences exceptionally high caseloads (a high of 881 establishments per inspector per year in one district) and does not have sufficient manpower to meet the statutory requirement of four visits per establishment per year. (Chapter 509, Florida Statutes) With in excess of 64,000 establishments in its jurisdiction, the agency reported that it fails to comply with this requirement in that it inspects at a rate of only 2.5 visits per establishment per year.

Although the agency has adopted a code nearly identical to the U.S. Public Health Service Code for the inspection of food service establishments, samples of food, when taken, are referred to the laboratories of the Division of Health or the Department of Agriculture. Nevertheless, the performance of the food inspection function as a whole involves the agency in a simple non-technical visual examination of premises and products.



In 1970-71, the division expended in excess of \$1.1 million and in the three fiscal years studied it increased its General Revenue allocation by 30% while, at the same time, decreasing its collection of fees.

Division of Marine Resources,  
Department of Natural Resources

This agency has the smallest number of personnel engaged in the performance of an extensive statewide inspection function (three full-time and ten part-time employees). The division has approximately 10,600 establishments statewide within its jurisdiction and must inspect them all with the small number of personnel described above. This represents a significantly high average caseload of 963 establishments (vessels, dockside facilities, etc.) per district. Insufficient manpower makes this caseload figure proportionately higher on a per inspector basis. It was noted, therefore, that too few personnel are available to effectively perform statewide food inspection function.

A majority of personnel, in addition, have been trained for law enforcement type activities, have high school backgrounds only, and yet perform health related functions with some reliance upon laboratory facilities. When samples are taken, the majority are forwarded to the Department of Agriculture's laboratory for analysis. They also utilize their own laboratory facilities and those of the Federal Bureau of Commercial Fisheries, the University of Florida, and infrequently the Division of Health,





Bureau of Meat Inspection, Division of Animal Industry,  
Department of Agriculture and Consumer Services

While the Bureau of Meat Inspection adopted the U.S. Department of Agriculture's meat inspection standards (Title 9 of the U.S. Code) and has promulgated extensive rules and regulations relating to standards, it was noted that a majority of inspectors had education levels no higher than high school; perhaps as many as 50% of the total number of inspectors have not even completed high school. Although the agency reported that they require every inspector to take a training course, 90% of their inspectors had not yet taken it. It is not unreasonable to expect that if an agency is charged with the protection of public health through product examination, personnel must be minimally qualified and adequately trained.

Division of Inspection,  
Department of Agriculture and Consumer Services

95% of the personnel attached to this agency have high school backgrounds only. It was noted that the agency experienced a 36% increase in dollars allocated for the salaries of inspectors with a 23% personnel increase in the three-year survey period. Moderately high caseloads of 260 stores per retail inspector per year and 150 plants per plant inspector were reported by the agency. The



agency expended in excess of \$1 million for fiscal year 1970-71, a 30% increase in the three years surveyed. A portion of this sum was derived from fees collected from the inspection of poultry and eggs but no fees were collected from retail food establishments.

Division of Dairy Industry,  
Department of Agriculture and Consumer Services

The third smallest of the seven agencies surveyed, the Division of Dairy Industry employs 43 full-time and 2 part-time personnel. It exhibited a 61% increase in the salaries of inspectors with a 0% increase in personnel in the three years surveyed. The Florida Statutes fix a frequency of 2.0 inspections per year per dairy farm and 4.0 inspections per year per milk products plant. Caseloads are, on the whole, reasonable in that they vary from a high of 71 establishments per inspector to a low of 41 for dairy farm inspectors, and from a high of 17 to a low of 8 establishments per inspector for milk products plants.

All inspectors in this division have college educations but no information is available as to whether training was specifically related to public health.

Approximately \$632,000 was expended in fiscal year 1970-71, a 43% increase in expenditures during the three fiscal years studied. Heavy reliance upon General Revenue



was reported (100%) and no fees were collected to help in the financing of this important function.

Division of Chemistry,  
Department of Agriculture and Consumer Services

This comparatively small agency is involved in the technical analysis of food products. It reports a particularly high turnover rate of 30% for its inspection personnel. Because of the technical expertise required for the performance of sophisticated laboratory services, this rate of turnover represents a unique personnel loss to the State of Florida.

The division maintains sophisticated laboratory facilities for complete chemical analyses of food samples taken while the Division of Health maintains separate and equally costly laboratory facilities for microbiological examinations of product samples. It must be noted that major equipment items were quite expensive, some costing \$20,000. each.

The division reported a 52% overall budget increase and an 80% increase in the dollars allocated for salaries of inspectors in the three fiscal years studied. High turnover rates coupled with non-competitive salary



schedules for employees and expensive equipment costs would appear to cause this situation.

Division of Health,  
Department of Health and Rehabilitative Services

The Division of Health performs a multiplicity of food inspection functions, far more diverse than any other agency involved in food inspection functions in the state. In addition to this fact, health department personnel, on the whole, are not food inspection specialists, but rather perform a variety of food and non-food related activities. This requires the inspectors to be generalists rather than specialists. This is felt to be a questionable arrangement for the delivery of food inspection services.

Operations are decentralized among the several counties as well as the regional health laboratories. There is little doubt that control over the operations of the local health departments is far from complete. Shared state and local jurisdictions impair effective administration of inspections.

The Division of Health applies U.S. Public Health standards to the inspection of food service establishments. It further reports that it inspects these establishments at





least four times per year. Yet a survey taken by the Division of Health itself of a sample of food service establishments indicated that in only two of the thirty-six counties surveyed were the standards up to the minimum U.S. Public Health Service Requirements.



## Conclusion

Based upon the findings of a rather extensive questionnaire, a number of alternative courses of action are available to the Legislature for the elimination of duplication in the inspection of food and food-related areas. It must be noted that the multiplicity of types of inspections performed upon the extensive array of food products, food processing, and food services establishments, all relevant to the protection of the public health, has made this inquiry a complex and difficult endeavor. Based upon the findings of this inquiry, it is highly recommended that a complete reorganization of all food inspection activities should be initiated with an eye toward consolidation of functions and the pinpointing of responsibility. Only in this way can accountability be established, uniform standards be frequently and effectively applied, and costly duplication of effort eliminated. Toward this goal, a number of alternatives can be considered:

### I. Standards

It is highly recommended that all agency standards for the inspection of similar products and/or establishments should be uniform and should meet or exceed comparable national standards. Where absent, it is vital that standards be developed. References to standards include not only the deline-



ation of the frequency of inspections required but also the techniques to be employed, such as sampling. The Division of Hotels and Restaurants, for example, conducts no comprehensive sampling in the establishments it inspects, nor does the Division of Marine Resources, yet both operate in the realm of public health sanitation. It is vital that sampling be performed routinely and that all agencies involved in the food inspection area have laboratory services available to them for analysis of collected samples.

## II. Personnel

There is a sizeable number of personnel attached to food inspection activities (about 760) in the seven agencies surveyed. This number (see also Table 9, Page 29) should be more than sufficient for the performance of inspection activities, given the elimination of divided jurisdictions and duplicative efforts. Toward the goal of consolidation of function and pinpointing of responsibility, it is recommended that a uniform system of classification of personnel be developed with specific education and experience requirements. This classification system would cut across departmental and division lines and apply to all inspection personnel, regardless of where the personnel are located in the system.

Rather than calling for the hiring of additional personnel



for inspection services, therefore, some thought should be given to upgrading the current salary schedules for personnel. After a system of classification of personnel has been developed a review of salaries to insure their competitiveness with those of private industry and the federal government is necessary if qualified personnel are to be recruited, trained and retained. The data indicated that one of the most frequently stated reasons for termination of employment was the low rate of pay associated with state employment. The Division of Chemistry, which experiences a turnover rate of 30%, best exemplifies the need for salary review.

### III, Training

As noted in this study there is a wide variation in the scope, duration, and coverage of employee training courses conducted by the agencies (see Table 15, Page 35). Not only did the training periods extend from two weeks to six months, but there was also a noticeable lack of uniformity in the numbers of personnel who had taken the course. The Bureau of Meat Inspection, for example, listed, a majority of their inspectors as not yet having taken the course. Along with implementing uniform standards for the techniques to be applied in food inspection, it is recommended that minimum training courses be required for all inspection personnel. Whether the state or





federal government conducts these courses is of little concern as long as all inspectors have the required background and expertise to carry out their responsibilities.

#### IV. Organization

All of the agencies, with the possible exception of the Division of Chemistry in the Department of Agriculture, maintained clearly defined administrative districts composed of varying sets of adjacent counties in which their operations were conducted. The variation in organization patterns is necessary to some extent in that certain industries requiring regulation are located only in certain sections of the state. This variety of administrative patterns, however, makes the evaluation of the performance of food inspection a difficult endeavor. If it is possible to develop uniform districting patterns for all agencies performing social and rehabilitative functions within the Department of Health and Rehabilitative Services (see the department's present catchment area plan), then certainly it is possible to establish uniform catchment areas for the performance of all food inspection functions. This would enhance the ability of the Legislature to evaluate the effectiveness of food inspection activities as a whole.

#### V. Financing

It is evident that large dollar expenditures are being



allocated for the inspection of food and food-related activities but it is not equally as evident that these dollar expenditures bear a reasonable relationship to the actual cost of the inspection operations. It is highly recommended that the Legislature line-item expenditures for food-inspection activities.

This report did not address itself to an in-depth analysis of trust fund accounts. It is recommended, nevertheless, that revenues generated for the performance of food inspection functions be consolidated into one central trust fund account. This would necessitate consolidating the separate fee accounts relating to food inspection for the Departments of Agriculture, Natural Resources, Business Regulation, and Health and Rehabilitative Services. An extensive analysis of fees collected for the performance of food inspection activities is required. It is recommended that comparable and reasonable fee schedules be devised for all, rather than just some, of the vast array of food inspection activities. It is recognized that federal funding regulations for the meat inspection activity of the Department of Agriculture prohibit the assessment of fees against this industry. Other than this item, there is no rationale to exempt some businesses from payment of fees while assessing others.



## VI, Laboratory Facilities

There is little cost benefit to the state of Florida in the continuation of two separate laboratory facilities, one within the Division of Health which performs microbiological examinations, and the other within the Department of Agriculture (Division of Chemistry) which performs chemical examinations. Equipment and staff support for such facilities are exceptionally costly. It is anticipated that through a consolidation of food inspection activities and the pin-pointing of responsibility, centralized laboratory facilities will represent a cost savings to the state if only through the elimination of the need for various agencies to double or triple sample the same product.

## VII, Uniform Reporting Format

Of direct interest to the Legislature is the incidence of food related illnesses. This relates to the effectiveness of the performance of food inspection activities. In order to evaluate program effectiveness, therefore, it is recommended that a uniform reporting format be developed which should include, at a minimum, the following information:

- (1) The number of establishments under jurisdiction.
- (2) The number of personnel devoted to food inspection activities.



- (3) The frequency of inspections performed,
- (4) The amounts of unsatisfactory food products prevented from entry into the market.

Reviewing the status of food inspections in Florida has uncovered unnecessarily duplicative practices by several state agencies producing a rather poor apportionment of revenue dollars for similar operations. Several methods of remedying this situation have been advanced so as to eliminate the costly, duplicative, and, in some cases, ineffective, delivery of food inspection services in Florida. Of primary concern and the foremost goal is the protection of public health. It is hoped that through the elimination of costly duplication and by pinpointing responsibility for the performance of these important public health functions that this goal will be achieved.





## Appendix



# APPENDIX A-1

## QUESTIONNAIRE RELATING TO OVERLAPPING JURISDICTION OF INSPECTION FUNCTIONS FOR DEPARTMENTAL AND DIVISION HEADS

FOR THE USE OF

THE SENATE COMMITTEE ON HEALTH, WELFARE, AND INSTITUTIONS

Department or Division \_\_\_\_\_

**DIRECTIONS:** In so far as you are able or it is pertinent to your department or division, please answer the following questions with as much information as you presently have available. Where the allocated space is insufficient, please attach the necessary additional pages or respond on the reverse side of the questionnaire.

### I. PERSONNEL

1. How many personnel for each fiscal year indicated below have been employed by your department or division? Please list both full and part time personnel. For the purposes of this questionnaire the following definitions will apply: ADMINISTRATIVE PERSONNEL - those charged with executive functions and responsibilities; SUPPORT-PERSONNEL - those dealing with essentially staff activity such as secretaries, clerks, etc.; INSPECTION PERSONNEL - those charged with direct inspection activity.

INSPECTION  
PERSONNEL

ADMINISTRATIVE  
PERSONNEL

SUPPORT  
PERSONNEL

TOTAL

	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time	
FY 68							
FY 69							
FY 70							



2. Please list the current position titles in each category involved in the performance of the inspection function as well as the number of personnel, qualifications, and salary ranges associated with each position type. (For FY 69-70)

PERSONNEL CATEGORY	NUMBER OF PERSONNEL	QUALIFICATIONS		SALARY RANGE (\$ PER MONTH)
		Education	Experience	
INSPECTION				
ADMIN.				
SUPPORT				

3. Are the minimal educational and experience qualifications for each position type ever waived? If so, what percentage in each personnel category was waived. (For FY 69-70)

<u>Personnel Category</u>	<u>Percentage Waived</u>
Inspection	_____ %
Administrative	_____ %
Support	_____ %

4. What is the approximate turnover for inspection personnel? What are the most frequently stated reasons for termination of employment?



## II. TRAINING OF INSPECTORS

1. Is a training course required for all inspection personnel?
  - a) Yes
  - b) No
2. Please indicate the following with respect to the training course:
  - a) What is the scope and content of the training course in your department or division? (Please be specific)
  - b) How frequently is the course described above offered?
  - c) Where are the courses generally held?
3. What is the normal length of the training period for
  - a) Inspection personnel with no previous experience?
  - b) Inspection personnel with previous experience?
4. What are the position titles of instructors teaching this course?
  - a) Do the instructors perform a part time or full time teaching function?
  - b) How many instructors teach the training course?
5. Is any training course required before the actual performance of the training function begins?
6. Are refresher courses offered? If so, how often are they offered and are they mandatory?
7. Have all presently employed inspectors taken the training course as outlined in question 2-a? If not, how many have not?





### III. ORGANIZATION

1. If your particular inspection operation is divided into districts, how many are there, what counties do they encompass, and how many of the personnel of the three types mentioned above are located in each district?
2. What is the number of establishments over which you have inspection jurisdiction in each district?
3. Where are your permanent (and mobile, if any) facilities located?
4. What major equipment items are utilized by inspectors in the performance of their duties and what is the price per unit of each item?



IV. OPERATIONS AND STANDARDS

1. How does your department or division determine if there is a sufficient number of inspection personnel? For example, do you employ some ratio of number of food establishments under your jurisdiction to a certain number of inspections to be performed, or some other formula, if any, to arrive at a figure? Please be specific.
2. What is the average frequency of inspection per establishment per annum?
3. Are all of the inspections you perform mandatory under law or do some manufacturers, processors, etc., voluntarily submit to inspection? Please be specific.
4. Please list the individual products you inspect whether at the wholesale or retail level and how much was inspected during Fiscal Years 68-69, 69-70, and your projections for FY 70-71. Use whatever standard of measurement you normally employ for each category listed below:

PRODUCT INSPECTED	<u>FY 68-69</u>	<u>FY 69-70</u>	<u>FY 70-71</u>
----------------------	-----------------	-----------------	-----------------

Food  
(e.g. poultry, fish,  
red meat)

Other  
(e.g.,  
dairy,  
citrus)



5. How many food establishments of all varieties per district are currently subject to inspection by your department or division?
6. What quantity of food or food by-products did your department or division find unsuitable for public sale or human consumption for FY 68-69, 69-70, and what are your projections for same for FY 70-71? What were the criteria for their rejection. How much was approved for the same years? (please use the pound as the measurement standard and whatever standard you generally employ for each of the same categories listed in question 3, above)
7. How is product wholesomeness determined? Do you conduct tests to ascertain whether nutrition levels are satisfactory or present or is the product tested for harmful substances only?
8. Are food products imported into the state from other states and countries required to meet the same standards as are comparable Florida products? What are the specific standards which state products must meet and how do these standards compare with federal ones? Please be specific.



9. What happens to illegal food and food by-products (i.e., those products found unfit for human consumption or for marketing to the general public) when they are stop-saled? If and when such products are confiscated, what methods are employed and through what means is disposal and/or destruction made?
10. What recourse does the inspected company have if its products are labeled substandard and/or stop-saled or confiscated?
11. What penalties are you empowered to administer for violations of the inspections standards, rules, and regulations of your division or department?
12. Can stop-saled products be legally reprocessed for human or animal consumption?





V. EXPENDITURES

1. What were the expenditures in your division or department for Fiscal Years 68-69 and 69-70 in the inspection area and what have you projected the 70-71 expenditures to be?

	<u>Administrative</u>	<u>Inspection Duties</u>	<u>Supportive</u>
<u>Salaries</u>			
68-69	\$ _____	\$ _____	\$ _____
69-70	\$ _____	\$ _____	\$ _____
70-71	\$ _____	\$ _____	\$ _____
TOTAL	\$ _____	\$ _____	\$ _____
<u>OCO</u>			
68-69	\$ _____	\$ _____	\$ _____
69-70	\$ _____	\$ _____	\$ _____
70-71	\$ _____	\$ _____	\$ _____
TOTAL	\$ _____	\$ _____	\$ _____
<u>Expenses</u>			
68-69	\$ _____	\$ _____	\$ _____
69-70	\$ _____	\$ _____	\$ _____
70-71	\$ _____	\$ _____	\$ _____
TOTAL	\$ _____	\$ _____	\$ _____
<u>Other</u> (Please specify)			
68-69	\$ _____	\$ _____	\$ _____
69-70	\$ _____	\$ _____	\$ _____
70-71	\$ _____	\$ _____	\$ _____
TOTAL	\$ _____	\$ _____	\$ _____

2. Who assumes the cost of the inspections you perform? Are any direct or indirect levies made upon the consumer or processor to defray the cost? If an establishment pays for the inspection, what is the cost per inspected establishment?



3. What is the dollar amount of federal funds received by your department or division for the operation of the inspection system and how is it allocated within your department or division for FY 68-69, 69-70, and 70-71 (projection)?
4. How much money from General Revenue is used for the performance of the inspection function?
5. Is any compensation paid to companies from whom deficient products are taken?



## VI. GOALS AND OBJECTIVES

1. Would you kindly furnish this committee with a copy of your six-year plan?
2. What do you envision as the objectives of a comprehensive food inspection program?
3. From your department's experience, can a food inspection program be effectively administered if the responsibility for quality control and the maintenance of health standards is placed in the hands of the company or processor? Please specify the reasons why or why not.



## APPENDIX A-2

### SAMPLE OF LEGISLATION RELATING TO FOOD INSPECTION ACTIVITY FOR THE 1969 AND 1970 LEGISLATIVE SESSIONS

#### Legislation Relating to Issuance of Permits

HB 295

Died in House Committee

#### REFERENCE BUREAU SUMMARY

Amends Section 500.12, F. S., to provide that no person, firm or corporation shall engage in the business of manufacturing, processing or packing food without first obtaining a permit from the Commissioner of Agriculture. Authorizes the Commissioner to prescribe conditions as are necessary to protect the public health. Provides for annual renewals. However, retains present provision that permits for manufacturers, processors, or packers may only be required when foods are found to be subject to contamination with injurious micro-organisms which cannot be adequately detected in commerce.

SB 527

Tabled

#### LEGISLATIVE SERVICE BUREAU SUMMARY

Provides that no person shall maintain or operate any food, drug or cosmetic factory, warehouse, retail food outlet, etc., subject to the provisions of Section 500.21, F. S., without first obtaining a permit. Provides that only persons who comply with the requirements of Chapter 500, F. S., shall be entitled to such a permit. Provides for suspension of permit when the requirements of Chapter 500, F. S., are violated or a public hazard exists. Establishes procedure for appeal of suspension and reinstatement of permit. Requires a \$10 fee for the permit, which must be renewed annually.

#### Legislation Relating to Establishment of Jurisdiction for Food Inspection Activity

HB 296

Died in House Committee

#### REFERENCE BUREAU SUMMARY

Amends Section 381.031, F. S., relating to the duties of the State Board of Health, to delete its authority to adopt rules regulating sanitary practices relating to canning plants and the production, handling processing, and sale of food products and drinks including milk.





HB 3353  
Died in House Committee

LEGISLATIVE SERVICE BUREAU SUMMARY

Deletes the authority of the Division of Health to adopt rules regulating sanitary practices relating to dairies and milk plants, canning plants and the production, handling, processing, and sale of food products and drinks including milk.

SB 651  
Tabled in Senate

LEGISLATIVE SERVICE BUREAU SUMMARY

Amends Chapter 502, F. S., relating to milk and milk products, by transferring the administration and enforcement of said chapter to the Department of Health and Rehabilitative Services and its Division of Health, in lieu of present Department of Agriculture.

Companion to House Bill No. 3856.

HB 683  
Died in House Committee  
Companion Died in Senate Committee

REFERENCE BUREAU SUMMARY

Amends Chapter 500, F. S., relating to Foods, Drugs and Cosmetics. Places regulation thereunder with the State Board of Health rather than with it and the Department of Agriculture.

SB 652  
Tabled in Senate  
Companion Bill Died in House Committee

LEGISLATIVE SERVICE BUREAU SUMMARY

Amends Chapter 503, F. S., to transfer responsibility for enforcing provisions relating to frozen desserts from the Commissioner of Agriculture to the Department of Health and Rehabilitative Services and Division of Health. Provides definitions and effective date of August 1, 1970.

HB 298  
Died in House Committee

REFERENCE BUREAU SUMMARY

Amends Subsection 500.21 (1), F. S., to confine the authority of the Commissioner of Agriculture and his agents to



inspect factories, warehouses, etc. to those establishments which process foods, and the similar authority of the State Board of Health to establishments processing drugs, devices or cosmetics.

SB 382

Died in Senate Committee

LEGISLATIVE SERVICE BUREAU SUMMARY

Appropriates \$483,306 from the General Revenue Fund to the Department of Agriculture and Consumer Services to cover cost of inspection of dressed poultry. Repeals subsection 583.18(4), F. S., which presently imposes the payment of these inspection costs on the dealers.

SB 381

Died in Senate Committee

LEGISLATIVE SERVICE BUREAU SUMMARY

Appropriates \$178,158 from the General Revenue Fund to the Department of Agriculture and Consumer Services to cover cost of egg inspection. Repeals Section 583.07, F. S., the 4¢ per dozen egg inspection fee now collected by the Department of Agriculture.

SB 525

Tabled in Senate

LEGISLATIVE SERVICE BUREAU SUMMARY

Amends Section 509.032, F. S., to transfer to the Division of Health from the Hotel and Restaurant Commissioner his duty to inspect public lodging or food service establishments to protect public health, safety and welfare.

SB 526

Tabled in the Senate

LEGISLATIVE SERVICE BUREAU SUMMARY

Amends subsection 502.012(41), F. S., to define Commissioner of Agriculture alternately as "State Department of Agriculture and Consumer Services." Amends Section 502.171, F. S., relating to enforcement by Commissioner of milk regulation and payment of expense therefor from General Inspection Trust Fund, to delete provisions authorizing enforcement by municipal and county health officials.



HB 4359

Chapter 70-257 F.S.

LEGISLATIVE SERVICE BUREAU SUMMARY

Amends subsection 585.08(4), F. S., to authorize destruction of herds of deceased domestic animals which have been exposed to and are liable to spread any contagious disease, instead of authorizing destruction of an animal which has been exposed to or is liable to spread such disease.

Amends Section 585.10, F. S., to increase from \$12.50 to \$100 the indemnification which may be paid to owners of destroyed animals and to authorize destruction of those exposed to tuberculosis or brucellosis.



## APPENDIX A-3

## DIVISION OF HEALTH

NUMBER OF ESTABLISHMENTS TO BE INSPECTED BY DISTRICT/  
 NUMBER OF INSPECTION PERSONNEL PER DISTRICT/  
 AVERAGE CASELOAD PER INSPECTOR

COUNTY	NUMBER OF ESTABLISHMENTS UNDER INSPECTION	NUMBER OF SANITARIANS	AVERAGE CASELOADS
Alachua	724	7	103.4
Baker	57	1	57.
Bay	547	4	137.
Bradford	65	1	65.
Brevard	989	16	61.8
Broward	2,690	19	141.6
Calhoun	41	1	41.
Charlotte	135	4	33.8
Citrus	54	1	54.
Clay	150	2	75.
Collier	232	5	46.4
Columbia	440	4	110.
Dade	5,961	61	97.6
DeSoto	57	1	57.
Dixie	48	*	*
Duval	1,640	13	126.
Escambia	1,006	11	91.5
Flagler	87	1	87.
Franklin	20	2	10.
Gadsden	37	3	12.3
Gilchrist	9	*	*
Glades	34	*	*
Gulf	91	1	91.
Hamilton	37	1	37.
Hardee	36	1	36.
Hendry	49	2	24.5
Hernando	51	1	51.
Highlands	74	3	25.
Hillsborough	3,279	35	93.7
Holmes	78	1	78.
Indian River	99	3	33.
Jackson	93	2	46.5
Jefferson	48	1	48.
Lafayette	19	1	19.
Lake	212	4	53.
Lee	731	7	104.4
Leon	554	10	55.4
Levy	58	1	58.
Liberty	10	*	*
Madison	47	1	47.
Manatee	434	8	54.
Marion	277	4	69.
Martin	164	2	82.
Monroe	269	3	89.6
Nassau	79	2	40.
Okaloosa	370	5	75.
Okeechobee	128	1	128.
Orange	1,374	21	65.5
Osceola	202	2	101.





Palm Beach	1,677	20	84.
Pasco	166	3	55.
Pinellas	2,741	32	85.6
Polk	1,162	11	106.
Putnam	192	3	64.
St. Johns	296	2	148.
St. Lucie	245	6	41.
Santa Rosa	97	2	49.
Sarasota	561	9	62.
Seminole	275	5	55.
Sumter	60	*	*
Suwannee	78	1	78.
Taylor	55	1	55.
Union	35	1	35.
Volusia	1,159	11	105.
Waukulla	69	*	*
Walton	108	1	108.
Washington	86	1	86.
TOTALS (Unweighted)	32,818	389	84.4

---

Notes: The data is somewhat approximate in that numbers of sanitarians are from 1968-69 figures while the number of establishments under inspection is for 1968 only. The discrepancy was judged not to be a serious deficiency although it is to be noted.

Those counties with an (\*) in the columns have had their health department functions merged in with another adjacent county due to their small size. At the present time Okeechobee, Martin, and St. Lucie Counties have a single, tri-county health department.

The unwieghted totals for average caseload per sanitarian are a fairly close approximation of the weighted averages.

Number of sanitarians listed does not necessarily mean that they all devote full time to food inspection work. This figure also excludes administrative personnel in the health departments.



614.31  
F6363f  
c. 2

Food inspections in Florida. a main  
614.31F6363f C.2



3 1262 03415 1034

100-1000  
100-1000  
100-1000